



STATE OF MONTANA

MONTANA DEPARTMENT OF TRANSPORTATION

JOB PROFILE AND EVALUATION

☐ Conversion
☐ Update
☐ Informal Review
☒ Formal Review

SECTION I - Identification

Working Title: **OFFICER I & OFFICER II & CORPORAL**-(BEG Patrol)Motor Carrier Enforcement Officer
Department: Transportation
Class Code Number: 536554
Class Code Title: Motor Vehicle Safety Inspector
Pay Band: 4

Division & Bureau: Motor Carrier Services
Section & Unit: Enforcement
Work Address: 2701 Prospect Avenue
Helena, MT 59620

Position Number

Position numbers covered by this Profile

22002, 22003, 22006, 22008, 22009, , 22012, 22013, , 22017, 22020, 22021, , 22025, 22026, 22031, 22032, 22036, , 22039, 22043, 22045, 22046, 22049, 22050, 22053, 22054, , 22056, 22058, 22059, 22060 22064, 22065, 22070, 22075, 22076, 22079, 22083, 22084, 22087, 22088, 22089, 22090, 22091, 22095, 22096, 22097, 22098, 22099, , 22101, 22102, 22103, 22104, 22105, 22106, 22107, 22108, 22109, , 22111, 22112, 22113, 22114, 22117, 22118, , 22123, 22125, 22126

Phone: (406) 444-6130

☐ FLSA Exempt ☒ FLSA Non-Exempt

Profile done by: Diana Piccono

Work Phone: 444-6148

Work Unit Mission Statement or Functional Description:

The Motor Carrier Services Division (MCS) protects Montana's highway system and ensures traveling public safety by regulating the motor carrier industry and enforcing commercial and agricultural motor carrier laws, rules, and regulations. MCS licenses and permits commercial vehicles under law and/or agreement and establishes state policy on national and international commercial motor carrier and non-economic trade barrier issues. In order to maintain Montana's eligibility for full highway construction funding.

MCS includes the Licensing and Permitting Bureau, Operations Bureau, and the Enforcement Bureau which control:

- Commercial vehicle size and weight enforcement
- HVUT Administration and Certification
- Montana's Motor Carrier Safety Assistance Program (MCSAP) Program
- Fuel tax evasion and non-taxed fuel enforcement
- Commercial vehicle oversize/overweight permitting
- Commercial vehicle and fleet vehicle licensing
- Administration of the International Registration Plan (IRP) for Montana
- Administration of the International Fuel Tax Agreement (IFTA) for Montana
- Montana's national and international commercial vehicle rules and policies
- PrePass weigh station bypass program in Montana
- MDT's Intelligent Transportation System/Commercial Vehicle Operations Program

- Montana's Commercial Vehicle Information System Network (CVISN) program

Enforcement Bureau:

The Enforcement Bureau protects Montana's highway system and ensuring public safety by enforcing commercial and agricultural vehicle and driver laws, rules, and regulations. The bureau implements the Federal Highway Administration (FHWA) Commercial Vehicle Size and Weight Enforcement Plan and certifications to maintain eligibility for federal highway construction funding. MCS Enforcement Officers work at various locations across the state. They complete fuel tax evasion investigations, enforce livestock shipping regulations, complete customs inspections, enforce State and Federal commercial vehicle and driver laws, rules and regulations and provide peace officer assistance to other Montana law enforcement agencies.

Describe the Job's Overall Purpose:

This position regulates the international, interstate, and intrastate commercial and agricultural motor carrier industry and enforces international, federal, and state commercial motor carrier laws at both fixed and mobile locations throughout Montana. MCS Enforcement Officers regulate and enforce law individually or with other officers, in densely populated and remote areas of the state. Officers have full autonomous decision-making authority on a wide range of regulation and enforcement issues, including height, width, and weight restrictions, vehicle licensing and motor fuel tax requirements, hazardous material transportation restrictions; and vehicle, operator, and load safety. This is completed following the principles and practices of professional law enforcement, combined with knowledge and understanding of federal and state motor carrier laws, and policy and regulations specific to each of these individual areas.

SECTION II - Major Duties or Responsibilities

60% of time

Enforces Federal, and Montana commercial, and agricultural transportation laws

- Investigates driver documentation to determine if the driver is compliant with state and/or federal laws. This involves reviewing driver hours of service records, medical documents and waivers, driver license, restrictions and endorsements, (HAZMAT, TANKER). This position also checks the driver for fatigue, use of alcohol, drugs, and ability to communicate effectively. Determine appropriate course of action based on the type of operation. Through driver interview and investigation of available documentation provided. IE: interstate and intrastate, agriculture-vs.-commercial
- Inspects commercial vehicles for compliance of size, weight, registration, safety, insurance, fuel tax and other applicable laws, rules and regulations both federal and state. This position analyzes the vehicle, or vehicle combination for compliance with weight laws through the use of electronic or manual weighing devices. Measures the vehicle, or vehicle combination for compliance of size and weight laws with the use of retractable measuring devices. Confirms compliance with fuel tax laws through the use of certified testing and collection equipment. This involves a comprehensive review of the vehicle documents, mechanical components, load securement, or unauthorized devices.
- Inspects agricultural vehicles and drivers for compliance of size, weight, registration, insurance,, fuel tax and other applicable laws, rules and regulations both federal and state. This position looks for certified seed certificates (some farm commodities required specific certifications). Livestock requires specific certifications. This position analyzes the vehicle, or vehicle combination for compliance with weight laws through the use of electronic or manual weighing devices. Measures the vehicle, or vehicle combination for compliance of size and weight laws with the use of retractable measuring devices. Confirms compliance with fuel tax laws through the

use of certified testing and collection equipment. This involves a comprehensive review of the vehicle and load documents.

- Administer corrective action necessary to bring driver and/or vehicle into compliance which includes: issuing citations, appropriate permits, courtesy warnings, out of service orders, or makes arrests as appropriate, collects and secures evidence, and completes all necessary reports and documents. To include: inspection forms, Incident reports, evidence reports, chain of custody, arrest reports, dyed fuel reports.
- Investigate fuel tax evasion through the use of interviews, and informants, review of various documents, and sampling of fuel containers, diesel tanks, propulsion tanks and bulk containers. Utilizing certified collection equipment and procedures. Maintain chain of evidence integrity through MDT policy. This includes collecting, recording, preserving, and filing records, documents, and oral statements during fuel tax evasion investigations.
- Complete post-crash vehicle inspections and determines pre-crash condition of vehicle, driver, equipment, and commercial loads. This includes collecting, recording, preserving, and filing records, documents, and oral statements during post-crash vehicle inspection investigations.
- Applies federal and state laws regulations, and rules as supported by agency policy and procedures. Determines their applicability and ensures compliance with federal and state, financial, data, statistics, reporting and recordkeeping requirements.
- Collects and reports data and statistical information required by the Federal Highway Administration (FHWA) for Montana's Commercial Vehicle Size and Weight Enforcement Plan and the Motor Carrier Safety Assistance Program (MCSAP) program as required by Federal Motor Carrier Safety Administration (FMCSA). For example: This position has special enforcement criteria, seatbelt use is observed for compliance. This entails observing every driver as they come into weigh stations. MCS Officer must work a specified classification of trucks for information to be compared with remote in road weighing devices.
- Officers assigned to scales located near state borders are required to become familiar with and enforce laws, rules and requirements of that neighboring state. For example: Officers must know rules and regulations of the neighboring states to determine legal weight, axle, length, and registration requirements are being adhered to.
- Utilize data provided from CVSIN applications including, Pre-Pass AVI, ACS Preview and the State Truck Activity Reporting System (STARS). For example: trucks can purchase a subscription to Prepass. Pre-pass determines axel/weight, gross weight and length. The Prepass is read through roadside technology and this information is transmitted to the weigh station. If Prepass clears the vehicle the driver is given a green light to keep going past the weigh stations. If given a red light the vehicle has to stop at weigh station. The officer must perform certain duties as indicated, could be safety inspection, or just general review.
- This position will determine if drivers and vehicles are in compliance with weight laws and have appropriate paperwork. This position may issue citations, require appearance bonds, and in some cases make arrests.
- Officers must make decisions on placing drivers and or vehicles out of service and in accordance with the North American Standard Out-of-Service Criteria which is updated annually. For example: driver could be sick, tired, or it could be alcohol related, or driver may not be properly licensed. Vehicles being operated may have egregious safety violations. For example: If the

Officer suspects use of an intoxicating beverage they can administer a breath test and take appropriate action which may include notifying local law enforcement.

- Determines compliance with HAZMAT (Hazardous Material) rules utilizing a very comprehensive federal regulation table. This position could issue a citation or issue an out of service order. Infractions might include failure to appropriately identify vehicles carrying hazardous materials or shipping paper violations
- Responsible for compliance for the out of state registrations when operating in Montana in accordance with established reciprocal agreements and issuing appropriate permits and collecting required fees.
- Observes and determines the criteria for a combination of vehicles which consists of: size and weight limitations. Allowable weights are calculated utilizing a mathematical formula based on the total number of axels and the distance between them (Bridge). Determines if they are in allowable tolerances and take appropriate enforcement action when required. For example: this position must make a decision on issuing a permit to continue, return to the point of loading or require reducing at the point of weighing.

Special/Technical Duties**35%**

- This position monitors seasonal agricultural activities on a cyclical basis.
- Supports other law enforcement organizations across the state, including the Montana Highway Patrol, County Sheriff's Office, and local municipal and Tribal Police Departments.
- Monitors, transmits, and received information over multiple radio frequencies to detect emergencies, exchange information and provide emergency support services to the public and other law enforcement agencies
- Provides information and assistance to the traveling public which includes walk-ins, phone and email.
- Issue required permits as required for carriers to be in compliance with State law and complete all required financial transactions as per Department policy and state statute

Other duties as assigned**5%**

- Routine light maintenance of facility, cleaning of the grounds
- Testifies as a professional expert witness at hearings or court

1. Specific examples of problems solved, decisions made, or procedures followed when performing the most frequent duties of this position.

This position investigates driver and vehicle documentation to determine whether or not the vehicle and driver are compliant with state or federal laws. When determined a vehicle or driver is non-compliant, they are empowered to decide which laws supercede or have precedence; which specific law or regulation is applicable to the situation; and whether mitigating circumstances or safety conditions should be taken into consideration. This position exercises considerable professional discretion regarding level of enforcement action taken and the appropriate response to resolving these recurring professional assignment responsibilities.

For example:

- This position audits documents pertaining to vehicle license and registration, permits, load, equipment lease, drivers record of duty status, drivers health, drivers license and endorsements, carrier operating authority, fuel taxes, and maintenance records for deception and non compliance using networked and non-networked computer software programs including, ACS Permitting, PreView, Query Central, CDLIS, Montana Dyed Fuel System, Aspen, PC miler, VIN Assist, and MCREGIS. This position determines if infractions are severe enough to require the driver be placed out of service at the inspection location.
- If a vehicle or driver is found non-compliant, this position is empowered to decide appropriate enforcement action to be taken, which may include up to the issuing of a courtesy warning ticket, a citation with civil or criminal penalties, or the arrest the vehicle operator.
- While physically examining critical vehicle equipment and loads to assure proper conditions exist for the safe operation on Montana highways, this position determines if infractions are severe enough to require the vehicle be placed out of service or repaired before continued operation.
- Conducts Post Crash Vehicle inspections to reduce probable equipment causes of commercial vehicle crashes.

Each of these decision points fall within the position's recurring professional discretion as a peace officer, the position must solve these and other enforcement problems based on scarce or conflicting data, and make the necessary associated decisions using formal law enforcement training, legal precedent, safety inspection training, situation control techniques, and professional principles and practices.

3. The most complicated aspect of this position is?

This position has police-power to assess conditions and analyze commercial and agriculture vehicles and operators, determine required courses of action, direct corrective actions, remove vehicles from service, write citations, and arrest operators for discovered non-compliant vehicle licensing, loading, driving, safety and restricted operation violations. Citations and arrest authority contain both civil and criminal penalties. These actions include a full range of difficult hazardous material and hazardous vehicle loading regulations, unsafe equipment conditions, illegal fuel uses, and the unsafe and unqualified operation by drivers.

This empowerment requires understanding of an extensive range of international, national, and multi-state laws which are sometimes variable and conflicting, and include assessment of medical, physical, training, certification, licensing, shipping, insurance, tax assessment, fees, and permits.

This position must resolve complex, contradictory, and often precedence-setting commercial carrier problems with a significant impact on the highway safety and the transportation industry. This includes investigation of potential fraudulent documents or procedures regarding motor carrier safety, tax and licensing issues.

4. Guidelines, manuals or written procedures support for this position are?

Montana Code Annotated; Administrative Rules of Montana; Parts 23 and part 49 of the Code of Federal Regulations; National Uniform Vehicle Inspection (NUVI) out-of-service criteria, NIST Weights and Measures Handbook 44; Montana Operation Manual (MOM); Department of Transportation policies and procedures; MCS operations manual; and PrePass agreements.

5. Which of the duties and/or specific tasks listed under 1. (above) are considered "essential functions"

All duties listed are essential functions which require the ability to work on a reoccurring basis on one's feet for extended periods of time; stoop, crouch, squat, stretch, reach, and lay on one's back for extended periods of time; rotate one's head and shoulders as necessary to perform CVSA Level One inspections and motor fuel tank inspections; work on surfaces located up to 30 feet off the ground; and climb on top of, under, and around commercial vehicles. This position requires the ability to work out-of-doors in all weather conditions, work on rough terrain or rocky surfaces and complete reoccurring physically demanding activities including snow shoveling and housekeeping.

Ability, on a reoccurring basis, to lift portable scales from the back of an MCS vehicle to the ground and visa-versa and to place scales correctly under the tires of a commercial vehicle as necessary. (MCS Patrol requirement only)

6. *Does this position supervise others?* ☐ Yes ☒ No

Number directly supervised

Complexity level of the positions supervised

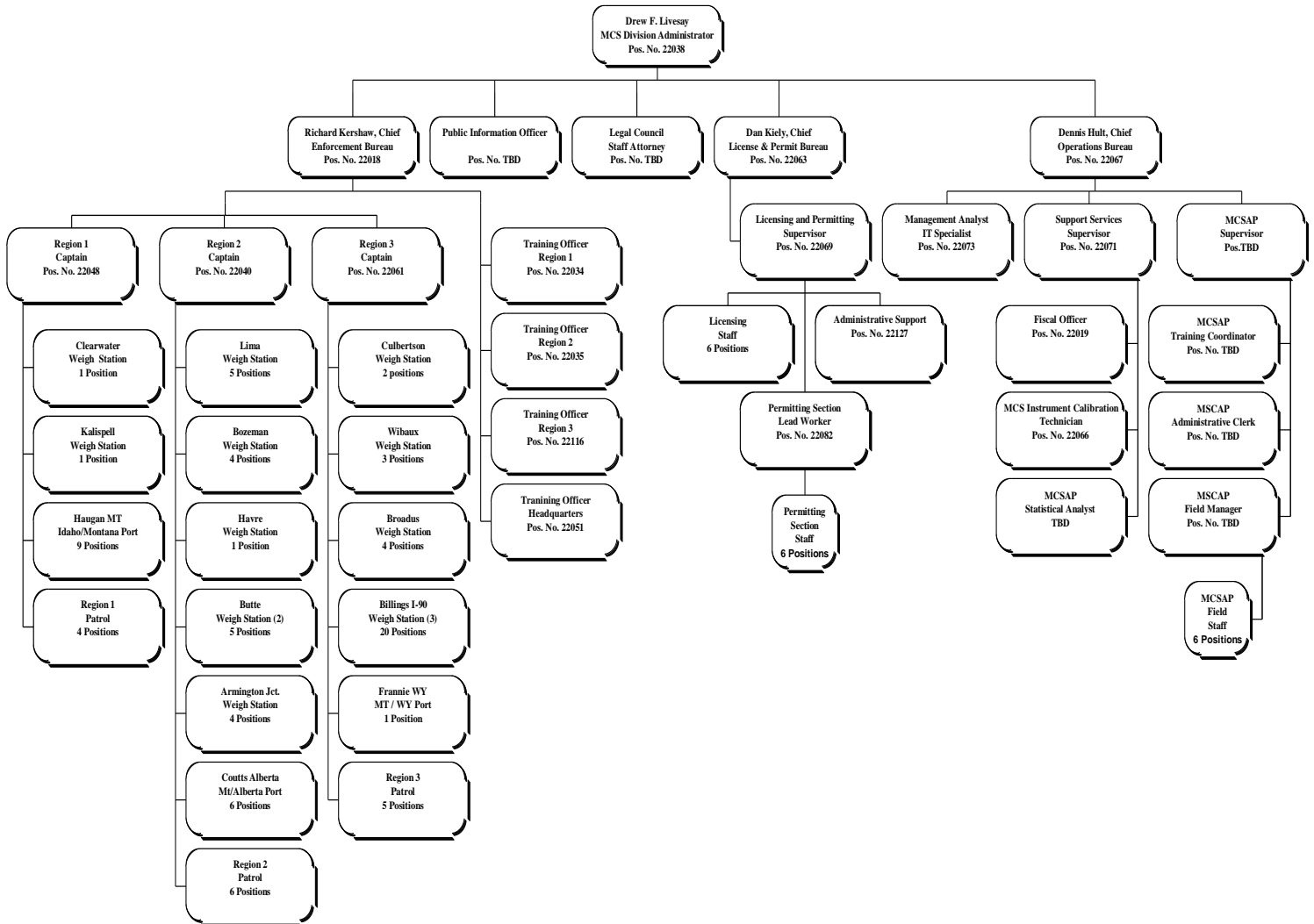
Position Number(s) of those supervised

7. *This position is responsible for:*

☐ Hiring ☐ Firing ☐ Supervision ☐ Pay Level
☐ Performance Management ☐ Promotions ☐ Discipline
☐ Other:

8. *Attach an Organizational Chart.*

Motor Carrier Services Division
Program 22
Revised August 21, 2005



SECTION III - Minimum Qualifications - *List minimum requirements for the first day of work.*

Knowledge and skills required for this position:

KNOWLEDGE

Knowledge of laws, legal codes, court procedures, precedents, government regulations, executive orders, agency rules, and the democratic political process. Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar. Knowledge of principles and methodology of law enforcement. Training as required to become a peace officer and comply with federal and state operating, reporting and financial requirements. Training in self-defense, arrest procedures, DUI testing, and chain-of-evidence requirements. Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction. Knowledge of principles and methods of the commercial motor carrier industry.

SKILLS:

Talking to others to convey information effectively. Communicating effectively in writing as appropriate for the needs of the audience. Understanding written sentences and paragraphs in work related documents. Understanding the implications of new information for both current and future problem-solving and decision-making.

Behaviors required to perform these duties?

CORE VALUES – GENERIC BEHAVIORS 4/3/06

CUSTOMER ORIENTATION/SERVICE (P.11-12)

Creates an atmosphere in which timely and high quality information flows smoothly between self and customer. Encourages open, honest, and constructive expression of ideas and opinions. Demonstrates active listening skills. Uses appropriate body language. Seeks to understand others' viewpoint. Analyzes the customer needs and adjusts to the perspective of the customer, when appropriate.

DECISION MAKING (P. 22)

Independently takes action and responsibility for solving problems. Makes decisions designed to achieve desired outcomes. Challenges the status quo by taking calculated actions in complex, ambiguous, contentious, or hazardous situations to force an issue or set a direction.

PERSONAL ACCOUNTABILITY AND OWNERSHIP (P. 31)

Takes pride in the job. Actively engages in professional self-development opportunities. Accepts individual responsibility for all actions taken.

LEADERSHIP (P. 35)

Shares information, feedback, and knowledge (two-way communication) with key persons inside and outside of the organization to ensure successful project outcomes and/or improvement. Includes training, teaching, and coaching others. Actively steps into a leadership role.

ETHICS (P. 44)

Models high standards of honesty, integrity, trust, and openness. Knows, understands, and follows through with the correct standards of conduct and moral judgment required; is willing to act outside the norm when needed to adhere to ethical principles. Communicates and demonstrates actions in a consistent manner. Respects others, regardless of individual capabilities, agendas, opinions or needs.

FLEXIBILITY AND ADAPTABILITY (P. 49)

Accepts change as a healthy and normal part of growth. Receptive to new information and recognizes the validity of various viewpoints; sees situations objectively. Responds positively to changes in direction and priorities, responsibilities or assignments. Adjusts to multiple demands, priorities, ambiguity, and change positively. Works effectively within a variety of situations, individuals, or groups.

TEAMWORK (P. 50)

Works cooperatively with others as part of a team as opposed to separately or competitively.

CREATIVITY AND PROBLEM-SOLVING (P. 59)

Generates ideas, fresh perspectives and original approaches; open-minded. Uses creativity and originality when problem-solving. Goes beyond traditional ways to address issues and problems.

Education:

Check the one box indicating minimum education requirements for this position for a new employee the first day of work:

- | | |
|---|--|
| <input type="checkbox"/> No education required | <input type="checkbox"/> Bachelor's Degree |
| <input type="checkbox"/> 1-year college/voc. training | <input type="checkbox"/> Master's degree |
| <input checked="" type="checkbox"/> AAS/2-years College/vocational training | |

Specify the acceptable degrees: Police Science, Protective Services, Emergency Management, or Criminal Justice.

Specify the related degrees: Any regulatory public-service related degree.

Specify other training, coursework or licensure: As previously listed in this Job Profile

Will a Bachelors/Master's degree substitute for the required experience? If yes, specify degrees: YES

- ☐ One year ☐ Two years

Will experience substitute for the degree requirement? YES If yes, specify experience:

- Year-for-year experience in Public Service, Public or Military service in a police, security, or combat-arms related military occupational specialty (as evaluated on a case-by-case basic.)
- Combination of education and experience that would provide the equivalency on a year-to-year basis (as evaluated on a case-by-case basic)

Experience:

Check the one box indicating minimum work-related experience requirements for this position for a new employee the first day of work:

- | | |
|---|---|
| <input type="checkbox"/> None | <input type="checkbox"/> 6 years |
| <input type="checkbox"/> 1 year | <input type="checkbox"/> 7 years |
| <input checked="" type="checkbox"/> 2 years | <input type="checkbox"/> 8 years |
| <input type="checkbox"/> 3 years | <input type="checkbox"/> 9 years |
| <input type="checkbox"/> 4 years | <input type="checkbox"/> 10 years |
| <input type="checkbox"/> 5 years | <input type="checkbox"/> Other _____(be specific) |

Other specific experience (optional): Two years experience is a police, military or public service regulatory organization.

Alternative Qualifications:

This agency will accept alternative methods of obtaining necessary qualifications.

- ☒ Yes ☐ No

As indicated

Additional Education and Position Requirements

Applicants must comply with title 7-32-303 MCA which state that no peace officer in the State of Montana

shall be appointed who does not meet and or agree to the following peace officer employment, education and certification standards.

- Be a citizen of the United States, at least 18 years of age; pass a finger-print passed criminal records check with no conviction of a crime for which the person could have been imprisoned in a federal or state penitentiary; be of good moral character, as determined by a thorough the background investigation; be examined by a licensed physician appointed by the employing authority to determine the applicant is free from any mental or physical condition that might adversely affect performance of the duties of a peace officer.
- Must successfully complete an oral examination to demonstrate possession of communication skills, temperament, motivation, and other characteristics necessary to accomplish the duties and functions of a peace officer;
- Possess or be eligible for, and constantly retain a valid Montana driver's license.
- Must take and continually comply with a formal oath of office.

SECTION IV – Other Important Job Information

Requirements including above Education & Position Requirements

Levels within MCS Enforcement are:

- MCS Enforcement Officer I
- MCS Enforcement Officer II
- Corporal
- Patrol
- Sergeant
- Lieutenant
- Captain
- Colonel – Bureau Chief

MCS Officer I – An entry level officer that must successfully complete a minimum of three months of on the job training, the Basic Law Enforcement course at the Montana Law Enforcement Academy and five advanced level commercial vehicle inspection courses for drivers, vehicles, hazardous materials transportation, cargo tanks and other bulk packaging.

This training can usually be completed within one year however, due to course availability there are occasions when it can take longer.

MCS Officer II – Is the officer that has successfully completed all of the MCS Officer I requirements and maintains the commercial vehicle level 1 training for drivers and vehicles. Obtain and maintain a Basic Law Enforcement certificate issued by the Public Safety Officer and Training council (POST). Salary advancement would remain the same as with the current career ladder.

Corporal -

- Complete and maintain MCS Officer II requirements
- Three continuous years as an MCS enforcement officer or at the discretion of MCS Management
- Successfully pass a comprehensive general knowledge test
- Maintain performance standards and certification criteria

Failure to meet these requirements would result in the officer losing the status and any pay or recognition that is associated with it

- Corporals must be willing to participate in special assignments as assigned. Additional levels of specialty within the MCS Officer Corporal level to recognize patrol officers, Field Training Officers

(FTO), Fuel Tax Specialist, and those who wish to pursue their interests in Hazardous materials and when available, the opportunity to attend advanced training and / or seminars in their field of specialty. The Bureau Chief and Administrator would review each position on a case by case basis.

Corporal Patrol Officer-While the MCS Patrol Officer performs the same functions as weigh station officers they do it at the roadside from a vehicle. They are responsible for patrolling remote highways away from weigh stations. They will also be called upon for increased fuel tax evasion efforts as well as border enforcement activities and other special assignments as needed.

This position would receive –Additional training in fuel tax evasion and border security issues when available, and recognition.

Patrol requirements:

- Complete and maintain the requirements for Corporal
 - Successfully pass a comprehensive general knowledge test
 - Must maintain the standard certification for hazardous materials, cargo tanks and other bulk packaging.
 - Maintain personal performance goals and certification criteria
 - Failure to meet these requirements would result in the officer losing the status and any pay or recognition that is associated with it. The Bureau Chief and Administrator would review each position on a case by case basis.
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SECTION V – Signatures

Signature indicates this statement is accurate and complete.

Employee:

Name: Title

Signature Date

Immediate Supervisor:

Name: Title

Signature Date

Division/District Administrator:

Name: Title

Signature Date

Department Designee:

Jennifer Jensen HR Division Administrator
Name: Title

01/02/07
Signature Date